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08/962,032	10/31/1997	DANIEL L. CHAPMAN		8376

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EXAMINER

BUCKLEY, DENISE J

ART UNIT

PAPER NUMBER

3641

DATE MAILED: 12/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

08/962,032

Applicant(s)

CHAPMAN, DANIEL L.

Examiner

Denise J Buckley

Art Unit

3641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 141-160 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 141-143, 145-151 and 153-159 is/are rejected.
- 7) ☒ Claim(s) 144, 152 and 160 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Specification***

1. Claims are 141-160 are objected to because of the following informalities: The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: In all the claims the use of the word "means" is explicitly stated. The specification does not explicitly, or implicitly identify what is considered the "blocking means", the "connecting means", the "pivot means", "stop means" or "blocking piece" etc. all the elements in the claims need to be in the specification. Examination will be done with the broadest interpretation. No new matter should be added. Appropriate correction is required.

Applicant is required to provide a clarification of these matters or correlation with art-accepted terminology so that a proper comparison with the prior art can be made. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

***Drawings***

2. The drawings are objected to because in figure 6, reference #28 is pointing to the wrong part. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 141, 142, 145-148, 150, 151, 153-157 are rejected under 35 U.S.C. 102(b) as being anticipated by Khoury. Khoury discloses a sear (34), a sear catch (74), a trigger (44), a trigger bar (40), a blocking means consisting of parts (76) and blocking piece (20). The blocking means aligns the trigger bar (40) by acting on the connecting means (70). The blocking means blocks the longitudinal slidable firing element (18). There is a slidable connecting means (70) which connects the blocking means and the trigger bar. Sear catch (74) has direct contact with the blocking means (76). The blocking piece or camming stud (20) which is a transverse cantilever projection and has a positive stop (52) which limits its downward movement and cams through a window (cam track or recess) in frame (16).

4. Claims 141-143, 146, and 149 are rejected under 35 U.S.C. 102(b) as being anticipated by Lameiras Guede. Lameiras Guede discloses in figure 2 a trigger (8), a sear (see figure 2), a triggerbar (see figure 3), a longitudinally slidable firing element (see figure 3), a blocking means blocking (1) the firing element, a connecting means (10) which connects itself (7) to the trigger and triggerbar, and the connecting means has a slidable link (6) which connects the blocking means to the trigger.

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5. Claims 158 and 159 are rejected under 35 U.S.C. 102(b) as being anticipated by Lamereiras Guede. Lamereiras Guede discloses a trigger (8), a triggerbar (see figure 3), a sear (1), a longitudinally slidable firing element (see figure 3), radial cantilever projection (see figure 3), a blocking piece (see figure 3), where the blocking piece extends down and acts directly upon said projection.

### ***Response***

2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., details that make application distinct and novel) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the **specification are not read into the claims, and need to be incorporated into the claims in order to show novelty**. If the prior art structure is capable of performing the intended use, then it meets the claim. **Applicant's claims do not clearly point out the patentable novelty** that he or she thinks is present.

### ***Allowable Subject Matter***

3. Claims 144, 152 and 160 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

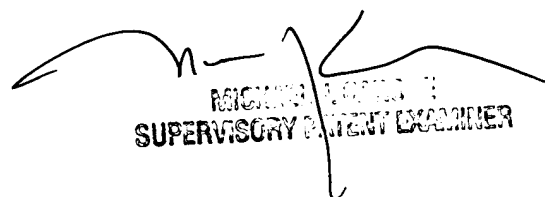
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Weatherby, and Baker are cited to show firing mechanisms for firearms.

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6.4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise J Buckley whose telephone number is 703-305-0041. The examiner can normally be reached on Tues-Fri 10-5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703-306-4198. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4180.



DJB  
December 7, 2002



MICHAEL CARONE  
SUPERVISORY PATENT EXAMINER